



Michigan Supreme Court

State Court Administrative Office

Trial Court Services Division

Michigan Hall of Justice

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Jennifer Warner
Director

MEMORANDUM

DATE: February 14, 2013

TO: Chief Probate Court Judges
Probate Court Administrators
Probate Registers

FROM: Amy Garoushi, Forms and Manuals Manager

RE: Follow Up on Directive Regarding 2012 PA 596; Change in Calculating Inventory Fee; New Reporting Requirements

On January 17, 2013, a memo was distributed that outlined the amended provisions of MCL 600.871. In that memo, we indicated that calculation of the inventory fee, as amended by MCL 600.871(1), begins March 28, 2013, and sunsets on December 31, 2017. This memo clarifies that deducting a lien on real property from the value of the estate applies only to estates where the decedent died on or after March 28, 2013. Therefore, two calculations shall be used by the courts, depending on a decedent's date of death:

- For all estates in which the date of death was before March 28, 2013, a lien on real property shall not be deducted from the value of the estate when calculating the inventory fee.
- For all estates in which the date of death was on or after March 28, 2013, a lien on real property shall be deducted from the value of the estate when calculating the inventory fee.

The January 17, 2013, memo also advised that the distribution formula will be changed for all fees collected. You should notify your court's case management system provider of this change so that the appropriate programming modifications can be made.

The Letters of Authority, form PC 572, will be revised to include a note on the back of the form advising the personal representative that, where the date of death is on or after March 28, 2013, the lien amount on any real property will be deducted when calculating the inventory fee. The Petition and Order for Assignment, form PC 556, will be revised to allow the petitioner to deduct a lien amount from real property so that the court can calculate the proper inventory fee. The

forms will be distributed to your court forms contact person and posted to the Michigan One Court of Justice website by the end of February.

A reporting form ([SCAO 67](#)) and instructions for collecting data from the probate courts under MCL 600.871(4) has been finalized. Unless your case management system provider is Judicial Information Systems, you should provide the form and instructions to your case management system provider for programming.

If you have any questions about calculating the inventory fee or the new reporting requirements, contact Ashley Coneff at 517-373-2451 or coneffa@courts.mi.gov, or Amy Garoushi at 517-373-4864 or elgaroushia@courts.mi.gov.